

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ANDERSON DIVISION

David Estling,)	C.A. No. 8:20-03204-HMH
)	
Plaintiff,)	
)	
vs.)	
)	OPINION & ORDER
GIDB Tiki, LLC d/b/a “Tiki Hut”,)	
)	
Defendant.)	
_____)	

This matter comes before the Court upon Plaintiff David Estling’s (“Estling”) motion for default judgment against Defendant GIDB Tiki, LLC d/b/a “Tiki Hut” (“Tiki Hut”). Estling commenced this action on September 8, 2020. (Compl., generally, ECF No. 1.) The Clerk of Court entered a default on October 5, 2020. (Entry of Default, ECF No. 8.) This court ordered that Defendant obtain counsel within thirty (30) days of October 6, 2020. (Counsel Order, ECF No. 9.) The Clerk of Court served the Order on Tiki Hut’s registered agent. (Service, ECF No. 10.) Tiki Hut has failed to plead or otherwise appear in this action. Liability has been established by the default, and Estling moves the court for an award of damages, attorneys’ fees, and costs.

After a thorough review of the complaint and record in this case, the court awards Estling \$3,846.15, the equivalent of two weeks pay, for violation of the Emergency Paid Sick Leave Act (“EPSLA”) provisions of the Families First Coronavirus Response Act (“FFCRA”), which requires “paid sick time” of eighty hours for certain pandemic related reasons. Pub. L. 116-127 § 5102(a)(1)-(4). Further, Estling is awarded \$2,040.00 in reasonable attorneys’ fees

and \$400.00 in costs pursuant to 29 U.S.C. § 216(b) of the Fair Labor Standards Act, which were incorporated into the EPSLA.

It is therefore

ORDERED that the motion for default judgment, docket number 13, is granted in favor of Estling and against Tiki Hut, for an award of \$3,846.15 in damages, \$2040.00 in reasonable attorneys' fees, and \$400.00 in costs. Finding no just reason for delay, the Clerk is hereby instructed to enter default judgment.

IT IS SO ORDERED.

s/Henry M. Herlong, Jr.
Senior United States District Judge

Greenville, South Carolina
January 8, 2021